IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.REVISION APPLICATION NO. 73 OF 2004

Ananda Ganpati Mali .. Applicant.

V/s.

Nivas Laxman Mali & Ors. .. Respondents.

Shri H.S. Venegavkar for the Applicant.
Shri K.V. Saste, APP for the Respondent No.4-State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 01, 2005

PC :-

1. Heard counsel for the applicant and learned APP.

2. The court below has considered the entire evidence on record. It has taken a particular view of the matter on appreciating that evidence. That is a possible view. The court below has clearly found, as a fact, that there is nothing on record to indicate that during the relevant period, the deceased was subjected to cruelty in her matrimonial home. In so far as the allegations of illegal demand and because of non- fulfilment of the illegal demand by the deceased, the deceased was teased and harassed by the

accused is concerned; the court below has found, as a matter of fact, that the said allegations are vague and not sufficient to hold the accused guilty. It is not possible to re-appreciate the evidence on record and to take different view in the matter. If the above findings of fact cannot be disturbed and as no material is brought to my notice to show that the said finding of fact is error apparent on the face of the record, it necessarily follows that the order of acquittal cannot be interfered with. Hence, dismissed.

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